

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DAVID T. COOPER

Plaintiff:

v.

REGINALD A. ROBERTS; RAYMON J. HAVRILAK
CAPTAIN GRIMM; OFFICER HATFIELD;
DENNIS POWELL;
Defendants

CIVIL ACTION LAW

No. 08-CV-346

MOTION FOR APPOINTMENT OF COUNSEL

AND COME COMES, PLAINTIFF, WHO RESPECTFULLY MOVES THIS
HONORABLE COURT TO APPOINT COUNSEL PURSUANT 28 U.S.C. 1915(E)(1).

IN SUPPORT OF THIS MOTION PLAINTIFF SUBMITS: THAT HE IS
INDIGENT, AND WITHOUT FUNDS TO PAY THE COST OF LITIGATING THIS
ACTION ON HIS OWN.

THAT, PLAINTIFF IS NOT VERSED IN LAW AND IS A LAYMAN AT
LAW. THAT PLAINTIFF MUST SEEK THE ASSISTANCE OF OTHER PRISONERS,
SOMETHING HE DOES NOT WISH TO DO IN SUCH AN IMPORTANT MATTER
AS THIS.

THAT PLAINTIFF DO NOT HAVE THE EDUCATION OR SKILL. PLAINTIFF
DOES NOT HAVE THE ABILITY TO EFFECTIVELY PRESENT HIS CASE BECAUSE
THE ISSUES INVOLVED ARE HIGHLY COMPLEX. EG., PLAINTIFF WILL
NEED HIS ENTIRE MEDICAL FILE AND FILES FROM THE DEFENDANTS.
PLAINTIFF WILL NEED TO LEARN OR INSIST HELP SO THAT IT CAN BE
DETERMINED WHAT DEFENDANTS ARE PERSONALLY INVOLVED.

AFTER DETERMINING THIS HE MAY NEED TO SUBMIT AN AMENDED COMPLAINT. HE WILL NEED PROFESSIONAL ASSISTANCE IN DETERMINING THE EXTENT OF HIS INJURY. PLAINTIFF SIMPLY IS NOT EDUCATED NOR SKILLED TO TAKE ON THESE KIND OF LEGAL AND PROFESSIONAL TASKS.

PLAINTIFF HAS MADE ATTEMPTS TO EMPLOY COUNSEL, AT THIS POINT IN TIME, PLAINTIFF IS INDIGENT AND DESTITUTE AND IS RECEIVING ASSISTANCE FROM A FELLOW INMATE WHO DOES NOT WISH TO REVEAL HIS NAME FOR FEAR OF RETALIATION FORM PRISON STAFF HERE AT S.C.I. HUNTINGDON, BECAUSE HE HAS ALREADY BEEN SEVERELY RETALIATED AGAINST FOR DOING HIS OWN LEGAL WORK AND FOR HELPING OTHERS, IT WAS DONE AT THE DIRECTION OF THE ATTORNEY GENERAL. THIS INMATE IS WILLING TO PROVIDE ME WITH SOME ASSISTANCE IF THE HONORABLE COURT IS WILLING TO PROVIDE HIM WITH PROTECTION FROM THE VICIOUS TACTICS OF HUNTINGDON STAFF.

FINALLY, PLAINTIFF SUBMITS THAT HE HAS NOT BEEN PERMITTED TO USE THE INSTITUTION'S LAW LIBRARY. PLAINTIFF HAS MADE EFFORTS BUT THOSE EFFORTS HAVE PROVEN FRUITLESS AND USELESS. THEREFORE, PLAINTIFF HAS NOT MEANINGFUL ACCESS TO LEGAL REFERENCE MATERIALS TO EVEN HELP HIMSELF TO THE DEGREE HE MAY HAVE SOME UNDERSTANDING.

RELIEF REQUESTED

IN VIEW OF ALL THE ABOVE, PLAINTIFF RESPECTFULLY REQUEST AND PRAYS THAT THIS COURT WILL EXERCISE ITS DISCRETION TO APPOINT HIM COUNSEL.

RESPECTFULLY SUBMITTED:

DAVID T. COOPER, PLAINTIFF

DATED: 10-28-08

PROOF OF SERVICE

I do hereby verify that a true and correct copy has been served upon the party listed below, said service was made by First Class U.S. Mail.

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Respectfully submitted:

David T. Cooper 10.28.08
David T. Cooper, Plaintiff
1100 Pike Street
Huntingdon, Pennsylvania 16654

cc:
Court
Esther Sanders
file.